

OCT - 2 2008

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISIONU.S. DISTRICT COURT
WESTERN DISTRICT OF NC

UNITED STATES OF AMERICA)

DOCKET NO.

5:08CR46

v.)

BILL OF INFORMATION

ROBERT NORMAN CALLIHAM)

18 U.S.C. § 1030(a)(2)(C)

THE UNITED STATES ATTORNEY CHARGES:

INTRODUCTION

1. From in or about 2001 through his termination on or about May 18, 2007, the defendant, ROBERT NORMAN CALLIHAM, was employed as a senior process engineer and a sales manager for CommScope, Inc. (CommScope). CommScope is a network infrastructure manufacturer based in Hickory, North Carolina.

2. While still an employee at CommScope, CALLIHAM obtained the username and password of CommScope Employee #1, which Employee #1 was authorized to utilize to access Commscope's computer system to, among other things, check Employee #1's business e-mail from a remote location.

3. At all times relevant herein, CommScope's computer system was a "protected computer" for purposes of 18 U.S.C. § 1030(e).

4. Following his termination on or about May 18, 2007, CALLIHAM was no longer authorized to access CommScope's computer system.

5. Nevertheless, beginning in or about May 2007, and continuing through on or about May 2, 2008, CALLIHAM repeatedly and without authorization accessed CommScope's computer system by logging on as Employee #1, and reviewing Employee #1's CommScope email.

6. Regardless of CALLIHAM's motive for obtaining such information, the value of the information CALLIHAM obtained through such unauthorized access exceeded \$5,000.

COUNT ONE

7. The United States Attorney realleges and incorporates by reference herein all of the allegations contained in paragraphs 1 through 6 of the Bill of Information, and further alleges that:

8. From in or about May 2007 through on or about May 2, 2008, in Catawba County, within the Western District of North Carolina and elsewhere, the defendant,

ROBERT NORMAN CALLIHAM

in interstate and foreign commerce, intentionally accessed a protected computer without authorization, obtained information from that protected computer, and the value of the information obtained by the defendant exceeded \$5,000.

All in violation of Title 18, United States Code, Sections 1030(a)(2) and (c)(2)(B)(iii).

GRETCHEN C.F. SHAPPERT
UNITED STATES ATTORNEY



KURT W. MEYERS
ASSISTANT UNITED STATES ATTORNEY